

REMARKS

This is a response to the Official Action mailed June 15, 2004. Claims 1, 2, and 5-33 remain active in this application. In view of the following remarks, reconsideration of the Examiner's rejections and Notice of Allowance of all pending claims are respectfully requested.

Claims 1, 2 and 5-13 have been rejected under 35 U.S.C. 102 (b) as being anticipated by Johnsen (U.S. Patent No. 5,250,789). It is respectfully submitted that Johnsen neither teaches nor suggests "broadcasting a site signal within a site representing a plurality of item records associated with a plurality of items within the site, each said item record comprising item identifier information and item location information, said item identifier information describing said items and said item location information describing the location of said items within the site; a mobile unit for receiving the site signal remotely within the site; using the remote device to compare at least some of the item identifier information in the site signal with user selected item information stored on the remote device; and displaying to a user the item identifier and item location, information that match the user selected item information based on the comparison."

Contrary to Examiner's assertion in the June 15 Official Action, it is respectfully submitted that Johnsen does not teach or suggest a database containing product information, including location, being loaded wirelessly into a display unit. Rather, according to Johnsen, the "[d]ata port 34 may also be used to load operating and application software along with current price information and promotional data." (col. 7, lines 29-32). The only mention in Johnsen of the central computer being used to wirelessly communicate with the remote device is with respect to "a table of advertisements and coupon offers or rebate information" (col. 6, lines 60-61; col. 8, lines 29-32)

and to "make a price change at any time on products on the shelves and transmit them to all of the display systems." (col. 7, lines 49-51). Applicant asserts that Johnsen teaches broadcasting a site signal in only two cases: 1) upon input from the consumer (where the customer scans an item and the remote device communicates wirelessly with the point of sale register or promotion table to display and store coupons) (col. 7, lines 14-21; col. 8, lines 29-41) or 2) by store management inputting a price change into the store's central computer which in turn prompts the central computer to broadcast a site signal. (col. 7, lines 44-54). This is contrasted with Applicant's invention in which the site signal is being broadcasted without requiring a prior request by the remote device. (See claim 1).

In Johnsen the signals being broadcast to the remote device contain only coupon information and price changes; the information related to product information and product location within the store is all stored within the memory of the remote device. "A memory 50 of sufficient size must be provided with the microprocessor 38 for storing the computer programs for performing the functions of the present invention and a database containing all of the UPC product bar codes for each of the products on sale in the store. For each bar code the memory includes a description of the product, the aisle number in which the product is shelved and the price of the product." (col. 7, lines 61-68). "The display system 10 is loaded with the supermarket's product database so that upon scanning a product, the display shows the name of the product and its price." (col. 6, lines 42-45). Based on the previous passages, the site signal of the Johnsen patent would not wirelessly broadcast records comprising item identifier information and item location information because that information would already be stored within the memory of the remote device. This is contrasted with Applicant's invention where said item records are broadcast

within the site signal. (See claim 1). By storing that item information which is relevant to the user on the remote device (as determined by the user selected item information stored on the device), as opposed to storing the item information corresponding to the entirety of the store's inventory on the remote device, Applicant's invention requires less memory for the remote device thereby providing a cheaper product. Applicant's invention also offers the advantage of being able to change the item information, including product location, merely by changing the site signal rather than uploading new information into each remote device as required by Johnsen.

The Examiner also cites col. 9, lines 52-64 as teaching displaying the item information and item location based on user selected item information. However, the product locator described in Johnsen would be based on its aforementioned system of storing the entire supermarket's database on the remote device and does not teach the claimed method for the reasons described above.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue.

If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he telephone applicant's attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

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Respectfully submitted,

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